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*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and for the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

**DECLARATION OF DAVID J. SHEEHAN
IN SUPPORT OF TRUSTEE'S MOTIONS *IN LIMINE* NUMBERS 1-4**

I, DAVID J. SHEEHAN, declare the following:

1. I am a Partner with the law firm Baker & Hostetler LLP, counsel for Irving H. Picard, as trustee ("Trustee") for the substantively consolidated liquidation of Bernard L. Madoff

Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*, and the estate of Bernard L. Madoff (“Madoff”).

2. I submit this declaration in support of the Memoranda in Support of Trustee’s Motion *in Limine* Number 1 to Strike Blum Expert (“Trustee’s MIL 1”); Motion *in Limine* Number 2 to Exclude Blum Testimony (“Trustee’s MIL 2”); Motion *in Limine* Number 3 to Exclude Blecker Testimony (“Trustee’s MIL 3”); and Motion *in Limine* Number 4 to Exclude Trustee as a Witness (Trustee’s MIL 4”).

3. True and correct copies of the following documents are attached:

Exhibit 1: Prehearing Disclosures for Participating Claimants Joel and Norman Blum dated September 30, 2016, referenced in Trustee’s MIL 1 and 2.

Exhibit 2: Email dated October 4, 2016 from Richard Kirby to Seanna Brown and Laura Clinton regarding testimony of expert witness Thomas Respass, referenced in Trustee’s MIL 1 and 2.

Exhibit 3: Chart Providing Basis for Excluding Certain Deposition Testimony by the Blums, dated Oct. 28, 2016, referenced in Trustee’s MIL 2.

Exhibit 4: Deposition manuscript of Norman Blum, M.D. taken on May 13, 2016, referenced in Trustee’s MIL 2.

Exhibit 5: Deposition manuscript of Joel Alan Blum, M.D. taken on May 16, 2016, referenced in Trustee’s MIL 2.

Exhibit 6: Participating Claimants’ Prehearing Disclosures dated September 30, 2016, referenced in Trustee’s MIL 3 and MIL 4.

Exhibit 7: Notice of Deposition of Aaron Blecker from Helen Davis Chaitman dated June 20, 2014, referenced in Trustee’s MIL 3.

Exhibit 8: Email from Helen Davis Chaitman to Seanna R. Brown dated June 24, 2014 regarding adjournment of Blecker deposition, referenced in Trustee’s MIL 3.

Exhibit 9: Trustee’s Notice of Deposition of Aaron Blecker dated June 30, 2014, referenced in Trustee’s MIL 3.

- Exhibit 10: Trustee's Request for Production of Documents to Aaron Blecker dated June 30, 2014, referenced in Trustee's MIL 3.
- Exhibit 11: Redacted deposition transcript of Aaron Blecker taken on July 1, 2014, referenced in Trustee's MIL 3.
- Exhibit 12: Email chain between Bik Cheema on behalf of the Trustee and Helen Chaitman dated August 1, 2014 regarding date for continued deposition of Blecker and request for response to Trustee's Request for Documents, referenced in Trustee's MIL 3.
- Exhibit 13: Aaron Blecker's Objections and Responses to Trustee's Request for Documents dated August 14, 2014, referenced in Trustee's MIL 3.
- Exhibit 14: Email chain between Lourdes Blanco and Bik Cheema dated August 28, 2014, August 29, 2014 and September 19, 2014, respectively, regarding an extension of time for Claimants to produce documents, referenced in Trustee's MIL 3.
- Exhibit 15: Trustee's First Set of Requests for Production of Documents to Claimants dated October 7, 2015, referenced in Trustee's MIL 3.
- Exhibit 16: Letter dated November 2, 2015 from Helen Davis Chaitman to Nkosi Shields regarding response to document request, referenced in Trustee's MIL 3.
- Exhibit 17: Responses and Objections of Claimant Aaron Blecker to Trustee's Second Set of Requests for Production of Documents dated June 23, 2016, referenced in Trustee's MIL 3.
- Exhibit 18: Transcript of Oral Argument in *Picard v. Greiff*, No. 11 Civ. 3775 (JSR) (S.D.N.Y. July 28, 2011) (ECF No. 17), referenced in Trustee's MIL 4.

I declare under penalty of perjury that the foregoing is true and correct, pursuant to 28 U.S.C. § 1746 (2).

Dated: New York, New York
October 28, 2016

By: /s/ David J. Sheehan
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